

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
August 19, 2009  
7:00 P.M.

The Board of Supervisors of Columbia County convened in annual session at the Carl C. Frederick Administration Building in Portage pursuant to law. The meeting was called to order by Chair Wopat and was certified to be in compliance with the Wisconsin Open Meetings Law.

All Supervisors were present.

Members stood and recited the Pledge of Allegiance.

A motion was made by Boockmeier, second by Cupery to approve the Journal of July 15, 2009. Motion carried.

A motion to approve the agenda, as printed, was made by Westby, second by O'Neil. Motion carried.

Chair Wopat reported that Representative Fred Clark was scheduled to address the County Board, however, had to postpone his visit.

Chair Wopat reported that Lois Schepp, Comptroller, and Pat Beghin, Emergency Management Director, have been working hard with the State to obtain funding for reimbursement for non related FEMA expenses incurred last year during the flooding. Columbia County is receiving a State Block Grant in the amount of \$115,578 for all costs paid by Columbia County not reimbursed by FEMA. Also, applied for and received funding in the amount of \$486,360 to be divided between municipalities, School Districts of Portage and Pardeeville and Columbia County Drainage Board.

Chair Wopat indicated that correspondence was received from United States Senator Herb Kohl regarding the Resolution to Modernize Our Bookkeeping in the Law for Employee's Cell Phone Act.

Columbia County received a thank you letter from Mount Pleasant Cemetery Association in Lodi for annual funding to maintain veterans graves.

An invitation was received from the Wisconsin Society of the Sons of the American Revolution to attend the dedication of grave markers for Revolutionary War veterans at 11:00 a.m. on August 22, 2009 at the Fort Winnebago Cemetery.

Chair Wopat stated that Columbia County received a copy of a resolution, adopted by the City of Portage Common Council, supporting the downtown location for proposed Columbia County building site. Resolution placed on file.

The following appointments were announced:

- (1) Wyona Lake Management District: Clark C. Hodgson for a term to April 2010. A motion by O'Neil, second by Baebler, the appointment was approved.

Supervisor Tramburg reported that Columbia County received an unqualified audit report for 2008 from Clifton Gunderson LLP. Copies of the audit report are available in the Comptroller's office. He commended the Accounting Department for their stringent record keeping. Chair Wopat thanked them as well and for going above and beyond regarding flood grants.

#### **REPORT OF THE PLANNING AND ZONING COMMITTEE**

The Planning and Zoning committee having held a public hearing thereon pursuant to Section 59.69 Wisconsin Statutes, notice thereof have been given as provided by law and being duly advised of the wishes of the people in the areas affected hereby recommend as follows:

1. A petition by Shane Rogers, Arlington, WI, Petitioner and Owner, to rezone from Agricultural to Single Family Residence, Parcel 255.03, Section 8, T12N, R11E in the Town of Springvale on the 8th day of September, 2008 be approved as follows: To change from Agricultural to Single Family Residence, Parcel 255.03, Section 8, T12N, R11E, Town of Springvale.
2. A petition by William Scully, Wisconsin Dells, WI, Petitioner and Owner, to rezone from Agricultural to Single Family Residence, Parcel 5.1, Section 1, T13N, R6E, Town of Newport on the 9th day of June, 2009 be approved as follows: To change from Agricultural to Single Family Residence, Parcel 5.1, Section 1, T13N, R6E, Town of Newport.

Douglas Richmond  
John H. Healy  
Philip Baebler  
Fred C. Teitgen  
Harlan Baumgartner  
PLANNING AND ZONING COMMITTEE

Upon hearing no objection, Chair Wopat directed the report be accepted and placed on file.

**RESOLUTION NO.**

WHEREAS, after extensive study and with the assistance of Ayres Associates and Commonwealth Development Corporation, the Building Space Needs Ad Hoc Committee recommended that Columbia County purchase and develop the 9.3 acre site at 1450 E. Wisconsin Street, Portage, Wisconsin ("former Pick 'n Save South"); and,

WHEREAS, purchase and development of the former Pick 'n Save South site will address the County's long term space needs by allowing the County to vacate the entire Health and Human Services Building, 2652 Murphy Road, Portage, Wisconsin; vacate the entire Annex Building, 120 West Conant Street, Portage, Wisconsin; remove all non-Court related offices from the Carl C. Frederick Administration Building, 400 Dewitt Street, Portage, Wisconsin; and relocate all of the non-Court related offices and departments formerly housed at those three (3) separate buildings at a single County building located at 1450 E. Wisconsin Street, Portage, Wisconsin; and,

WHEREAS, on June 10, 2009, the County's agent, Commonwealth Development Corporation executed an Offer to Purchase for the real estate and improvements thereon known as the former Pick 'n Save South property located at 1450 E. Wisconsin Street, Portage, Wisconsin, for One Million Two Hundred Thousand (\$1,200,000.00) Dollars; and,

WHEREAS, Commonwealth's Offer to Purchase requires that a number of contingencies are satisfied before the County actually purchases the former Pick 'n Save South site including, but not limited to: 1) Approval by the City of Portage of a Conditional Use Permit and all other City approvals required for the County to develop and use the site to locate and operate numerous government offices; 2) Completion of successful lease negotiations with the two (2) existing business tenants; and, 3) Evidence that the site is not located in a flood plain or otherwise negatively affected by zoning or other governmental restrictions; and,

WHEREAS, after all of the required contingencies are satisfied, the County expects to close the transaction and acquire the 9.3 acre former Pick 'n Save South site on or before October 12, 2009.

NOW, THEREFORE BE IT RESOLVED, that the purchase of the real estate and improvements thereon known as the former Pick 'n Save South property located at 1450 E. Wisconsin Street, Portage, Wisconsin, for One Million Two Hundred Thousand (\$1,200,000.00) Dollars, plus payment of the County's share of Commonwealth Development Corporation's compensation and fees in an additional amount not to exceed Fifty-two Thousand Five Hundred (\$52,500.00) Dollars is hereby authorized and approved after all contingencies listed in this Resolution and in the Offer to Purchase are satisfied; and,

BE IT FURTHER RESOLVED, that a sum not to exceed One Million Two Hundred Fifty-two Thousand Five Hundred (\$1,252,500.00) Dollars be transferred from the General Fund to the Space Needs-Building Acquisition Project account; and,

BE IT FURTHER RESOLVED, that the General Fund be reimbursed with proceeds from a future bond issue; and,

BE IT FURTHER RESOLVED, that the Columbia County Board Chair and Columbia County Clerk are hereby authorized to execute all documents required to complete Columbia County's purchase of the former Pick 'n Save South site after all contingencies listed in this Resolution and in the Offer to Purchase are satisfied.

Fiscal Note: Transfer an amount not to exceed \$1,252,500.00 from the General Fund Account Number 100.341100 to the Space Needs-Building Acquisition Project Account Number 9980.

Fiscal Impact: Annual Debt Service on bond issuance will be incorporated into future budgets.

Timothy O'Neil  
Harlan Baumgartner  
~~Richard C. Boockmeier, Secretary~~  
Robert R. Westby, Vice Chair  
Debra L.H. Wopat, Chair  
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Salzwedel, second by Martin.

Supervisor Baumgartner gave an overview of the Building Space Needs Ad Hoc Committee activity for the last two years. He recognized and thanked the committee members who consisted of Supervisors Boockmeier, Hamele, Hutler, Martin, Wopat and himself.

Motion was made by Baumgartner to amend the resolution by striking a number of contingencies and referred to a revised resolution placed on supervisor's desks. A copy of the proposed revisions was also placed on file. Second was made by Westby.

Sanderson, Landers and Boockmeier spoke in opposition of the proposed amendments.

Chair Wopat called for a roll call vote. The amendment fails as follows:

AYES: 7, NOES: 23

AYES: O'Neil, Richmond, Ross, Stevenson, Westby, Baumgartner and Jenkins.

NOES: Lane, Martin, Mielke, Nelson, Pufahl, Salzwedel, Sanderson, Teitgen, Tramburg, Wingers, Wopat, Andler, Baebler, Boockmeier, Cupery, Curtis, DeYoung, Ford, Gove, Hamele, Healy, Hutler and Landers.

Jenkins relinquished time to Rick Dodd, President of Portage City Council and Dan Brunt, Alderperson of City of Portage.

Mr. Dodd spoke in favor of keeping county offices in downtown area and that the City would partner with a parking lot.

Mr. Brunt also spoke in favor of keeping county offices downtown or consider leasing the former Woolen Mills site.

Pufahl spoke in favor of the resolution to purchase the former Pick 'n Save South site and felt it would better serve the entire County.

Healy relinquished time to Vern Trecek, who spoke in favor of the Pick 'n Save South site.

Salzwedel relinquished time to Dan Amato. Mr. Amato spoke in support of future expansion/parking in downtown area. His report was placed on file.

Pufahl relinquished time to George Beasley, who spoke in favor of the Pick 'n Save South site. His report was placed on file.

Landers spoke in opposition of the purchase of the former Pick 'n Save South site and questioned the assessment of space needs.

Westby indicated that several surrounding counties have facilities located outside the county seat downtown area and spoke in favor of the resolution.

Curtis relinquished time to Ray Voss. Mr. Voss addressed the Board with concerns regarding the current economic crisis and asked that taxpayers are kept in mind when making decisions.

Tramburg explained that when the committee was formed the County wasn't in its current financial situation. He would like to defer the issue to 2013 when the county could be more fiscally responsible and the county's long term debt is reduced. Adding the courts near the jail site should also be a consideration. He thanked the committee for their time and effort.

Nelson relinquished time to Anita Nelson, who spoke in favor of county buildings remaining near downtown area.

Sanderson voiced procedural concerns regarding the county's purchase of property and questioned if requirements for eminent domain were followed.

Dan Clumpner of Commonweal clarified that Commonweal Development Corporation made the offer to purchase and not Columbia County. He wasn't aware of any implications regarding eminent domain.

Boockmeier, speaking on behalf of constituents and him, opposed the purchase of Pick 'n Save South site at this time and suggested that a space needs analyst be hired to determine accurate space needs.

Lane opposed the purchase of site. He felt if security was an issue that the court system should be moved closer to the jail.

Ross challenged the City of Portage to partner with County if resolution before them is turned down.

Martin clarified that the court system would remain downtown. She didn't feel the downtown area would suffer being most of the county employees being relocated currently work at the Health and Human Services Building. She suggested the possibility of Columbia County and the City of Portage partnering to convert the Annex building into a Senior Citizen Center.

Nelson agreed with Tramburg that this was not the time to purchase the property because of current economic situation.

Richmond asked for a procedural clarification. Joseph Ruf, Corporation Counsel, stated that the option to buy the former Pick 'n Save site by Commonwealth Development Corporation will expire on August 28, 2009. If the proposed resolution is voted down, for all practical purposes means the issue is dead.

Motion by was made by Sanderson to table resolution. Second by Richmond. The motion to table failed for lack of majority vote.

The Chair clarified that the resolution before them requires a three-fourths majority vote of the entire Board. The resolution failed as follows:

AYES: 15, NOES: 15

AYES: Martin, Mielke, O'Neil, Pufahl, Richmond, Ross, Stevenson, Teitgen, Westby, Wopat, Baumgartner, Cupery, Ford, Healy and Hutler.

NOES: Nelson, Salzwedel, Sanderson, Tramburg, Wingers, Andler, Baebler, Boockmeier, Curtis, DeYoung, Gove, Hamele, Jenkins, Landers and Lane.

O'Neil thanked the committee. He made a motion to officially disband the Building Space Needs Ad Hoc Committee and requested that the final report be placed on file. Second was made by Martin. With no objections the motion carried.

### **RESOLUTION NO. 26-09**

WHEREAS, the Columbia County Board of Supervisors appointed the first ADRC Board in Resolution No. 43-07, which was adopted on December 19, 2007; and,

WHEREAS, the State of Wisconsin has mandated standards for ADRC boards including that the membership of an ADRC board include 50% or more consumer representation; and,

WHEREAS, in Resolution No. 43-07, the initial composition of the ADRC Board was established listing two (2) County Board members generally, but specifically identifying the remaining fifteen (15) ADRC Board members by name; and,

WHEREAS, referring to all ADRC Board seats generally by area of representation, rather than naming specific individuals, will allow the ADRC Board to more efficiently fulfill its State mandate by allowing greater flexibility for the ADRC Board to respond to changes in its consumer representation members.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors defines the new composition of the twelve (12) member Columbia County ADRC Board as follows: County Board Supervisors (2); Commission on Aging (1); Developmental Disability (1); Elderly (2); Health and Human Services Department Staff (1); Mental Health (1); Nursing Home or Health Care Provider (1); Physical Disability (1); and Public (2); and,

BE IT FURTHER RESOLVED, that the Columbia County Board of Supervisors shall appoint two (2) County Board Supervisors to serve on the ADRC Board, the ADRC Board will nominate individuals from each ADRC consumer representation area listed in this Resolution to serve on the ADRC Board and the Health and Human Services Board will confirm those non-County Board Supervisor appointments to the ADRC Board.

Fiscal Note: NONE.

Fiscal Impact: NONE.

Tom Jenkins  
Jack Sanderson  
Robert Lane  
~~Charles Boursier, MD~~  
~~Susan Goethel~~  
~~Janet Gardner, RN~~  
Mary Cupery, Secretary  
Timothy O'Neil, MD Vice Chair  
J. Robert Curtis, DVM Chair  
HEALTH AND HUMAN SERVICES BOARD

Motion was made to adopt the Resolution by Jenkins, second by Baebler. The Resolution was adopted.

Supervisor Lane left the meeting.

**RESOLUTION NO. 27-09**

WHEREAS, the telephone system in the Law Enforcement Center (LEC) is obsolete and can no longer perform essential functions which are integral to Sheriff's Department operations, and

WHEREAS, the MIS and Sheriff's Departments conducted a thorough analysis to document the current infrastructure and system needs, and solicited proposals to replace the existing telephone system, based on their findings.

NOW, THEREFORE, BE IT RESOLVED, that Enterprise Systems Group be selected as the vendor to replace the LEC telephone system.

BE IT FURTHER RESOLVED, that a sum not to exceed \$171,000 be transferred from the General Fund to the LEC Telephone System outlay account to fund the cost of the procuring a vendor and purchase all necessary outlay.

BE IT FURTHER RESOLVED, that the General Fund be reimbursed with proceeds from a future bond issue.

Fiscal Note: Transfer an amount not to exceed \$171,000 from the General Fund Account Number 100.341100 to the LEC Telephone System Account Number 9980.

Fiscal Impact: Annual Debt Service will be incorporated into future budgets.

Ollie W. Mielke  
Brian L. Landers  
Vern E. Gove  
Fred C. Teitgen  
Neil M. Ford  
MIS COMMITTEE

Motion was made to adopt the Resolution by Teitgen, second by Gove.

John Hartman, MIS Director, reported that the system is 15 years old and spare parts can't be found. He also explained the process used to determine the vendor selected.

The Chair indicated a roll call vote was necessary for bonding. The Resolution was adopted on a roll call vote as follows:

AYES: 29, NOES: 0, ABSENT: 1

AYES: Mielke, Nelson, O'Neil, Pufahl, Richmond, Ross, Salzwedel, Sanderson, Stevenson, Teitgen, Tramburg, Westby, Wingers, Wopat, Andler, Baebler, Baumgartner, Boockmeier, Cupery, Curtis, DeYoung, Ford, Gove, Hamele, Healy, Hutler, Jenkins, Landers and Martin.

ABSENT: Lane.

**ORDINANCE NO. Z373-09**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 1, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) "To change from Agricultural to Single Family Residence", (Shane Rogers, Petitioner and Owner) parcel of land located in Section 8, T12N, R11E, Town of Springvale more particularly described as follows: Land To Be Rezoned From Agricultural to Single Family Residence: Lot 1, Certified Survey Map 4585.
- (2) "To change from Agricultural to Single Family Residence", (William Scully, Petitioner and Owner) parcel of land located in Section 1, T13N, R6E, Town of Newport more particularly described as follows: Land to be Rezoned from Agricultural to Single Family Residence: Commencing at the Southwest corner of the Southeast ¼ of the Northeast ¼ said Section One (1), thence East 198.0 feet along the South line of said Southeast ¼ of the Northeast ¼ to the point of beginning of this description;

thence North 0°43' West, 310.0 feet parallel with the West line of said Southeast ¼ of the Northeast ¼; thence East 258.0 feet parallel with the South line of said Southeast ¼ of the Northeast ¼; thence South 0°43' East, 310.0 feet to the South line of said Southeast ¼ of the Northeast ¼; thence West 258.0 feet along said South line to the point of beginning.

Debra Wopat, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Susan M. Moll  
COLUMBIA COUNTY CLERK

DATE PASSED: August 19, 2009  
DATE PUBLISHED: August 27, 2009

First reading of Ordinance.

Motion by Boockmeier, second by DeYoung, to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried.

Second reading of Ordinance.

Motion by Richmond, second by Wingers, to suspend the rules and have the third reading of the Ordinance by title only.

The motion carried.

Third reading of Ordinance.

Motion made by Healy, second by Richmond, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance Z373-09.

J. Robert Curtis moved adjournment of this meeting to Wednesday, October 21, 2009, 7:00 p.m. and noted that the Board will not meet in September. Second was made by Ross. The motion carried. The meeting adjourned at 9:05 p.m.

**Minutes of Columbia County Board of Supervisor meeting are considered Draft until approved at a subsequent County Board Meeting. Complete minutes are on file in the County Clerk's Office or can be viewed on the County Website at [www.co.columbia.wi.us](http://www.co.columbia.wi.us) after publication**